

United States District Court

**EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

FILED CLERK
U.S. DISTRICT COURT

05 SEP 12 PM 2:18

TEXAS-EASTERN

MARIA F. WALLACE

V.

DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT, ET AL.

§
§
§
§
§
§

BY _____

CASE NO. 4:05CV201
(Judge Schell/Judge Bush)

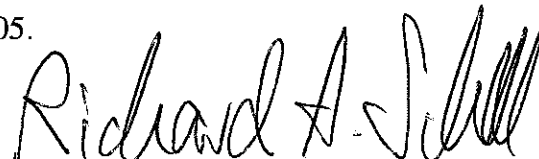
**MEMORANDUM ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the Report of the United States Magistrate Judge in this action, this matter having been heretofore referred to United States Magistrate Judge Don D. Bush pursuant to 28 U.S.C. § 636. On August 19, 2005, the Report of the Magistrate Judge was entered containing his proposed findings of fact and recommendation that Defendant, the State of Texas' ("the State"), Motion to Dismiss be granted and that Plaintiff's claims against the State be dismissed pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6).

Plaintiff has failed to timely file objections to the Report and Recommendation. The Court is therefore of the opinion that the findings and conclusions of the Magistrate Judge are correct. The Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this Court. It is, therefore,

ORDERED, ADJUDGED and DECREED that the State's Motion to Dismiss is GRANTED and Plaintiff's claims against the State are hereby DISMISSED.

SIGNED this 9th day of September, 2005.



RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE